



May 18, 2021

VIA ELECTRONIC FILING

The Honorable Jocelyn Boyd
Chief Clerk/Administrator
Public Service Commission of South Carolina
101 Executive Center Drive
Columbia, South Carolina 29211

RE: Public Service Commission review of South Carolina Code of
Regulations 103-300, *et seq.*, and 103-400, *et seq.*
Docket No. 2020-247-A

Dear Ms. Boyd:

Dominion Energy South Carolina, Inc. ("DESC" or "Company") appreciates the opportunity to provide comments as part of the Commission's review of Article 8 and, specifically, S.C. Code Ann. Reg. 103-817(C) regarding the substance of Commission notices included in customer bill inserts. Additionally, please accept this letter as confirmation that counsel for DESC will appear and participate at the workshop scheduled for May 28, 2021.

South Carolina Code Ann. Reg. 103-817(C)(3) sets forth the duties of the Chief Clerk after any pleading has been accepted for filing. These duties are discretionary unless required by law. One such duty that is discretionary is providing the Notice of Filing to customers. *See* S.C. Code Ann. Reg. 103-817(C)(3)(a) ("The Chief Clerk, pursuant to other rules of the Commission, **may** require that the Notice of Filing be mailed to customers") (emphasis added). When this discretion is exercised by the Chief Clerk, DESC is typically instructed by way of a transmittal letter to provide a copy of the Notice of Filing to its customers by U.S. Mail via bill inserts or by electronic mail to customers who have agreed to receive the Notice of Filing by electronic mail. The content of the Notice of Filing is governed by S.C. Code Ann. Reg. 103-804(I), and the same Notice of Filing that is published in newspapers pursuant to S.C. Code Ann. Reg. 103-817(C)(3)(a) is also provided to customers as a bill insert when directed to do so.

At the February 19, 2021 workshop for Article 8, the concept of providing a "standard notice" to customers via bill insert was discussed. As stated above, it is

within the Chief Clerk's discretion whether to direct a utility to provide its customers with a copy of the Notice of Filing, and, if the Chief Clerk decides that a customer should be provided with a copy of the Notice of Filing, then the utility is required to provide the Notice of Filing. However, DESC has been unable to locate any authority, statutory or otherwise, that would allow the Chief Clerk to provide a "standard notice" to customers as the concept was discussed on February 19, 2021. Under current Commission regulations, and assuming that the Chief Clerk elects to have the utility to provide customers with a notice, then either the full Notice of Filing prepared by the Clerk's Office must be provided to customers or an abbreviated version of the Notice of Filing must be provided to customers ensuring, of course, that the abbreviated version of the Notice of Filing still meets the minimum requirements of Reg. 103-804(I). Regardless of what is provided to customers, it must comply with Reg. 103-804(I) to be compliant with Reg. 103-817(C)(3)(a).

Whatever the Chief Clerk determines to be the appropriate Notice of Filing (*i.e.*, the full Notice of Filing or an abbreviated version of the Notice of Filing) for the utility to provide customers, DESC continues to encourage the Clerk's Office to allow the Company to provide the Notice of Filing by bill insert either by mail or by electronic means for those customers who participate in paperless billing. By providing the Notice of Filing to its customers in conjunction with their monthly bill statements, the Company is able to substantially reduce the expenses associated with providing such notice, and Docket No. 2020-125-E styled as "Application of Dominion Energy South Carolina, Incorporated for Adjustment of Rates and Charges (*This filing includes a request for an increase to retail electric rates) (See Commission Order No. 2020-313)" illustrates this point very well.

In Docket No. 2020-125-E, the Clerk's Office instructed DESC to provide its customers with a copy of the Second Notice of Filing and Hearing and Prefile Testimony Deadlines. The initial transmittal letter only allowed the Company seventeen (17) days to accomplish this task. The Company informed the hearing officer that it could not accomplish this task by bill insert and would be required to issue a special mailing and asked the Clerk's Office to reconsider its deadline. The Clerk's Office reconsidered and extended the deadline. The Company was then able to complete this task by bill insert and incurred printing cost in the amount of **\$2,800**.

The Commission then directed the Clerk's Office to develop a proposed public night hearing schedule to allow interested parties to provide testimony and comment. *See* Order No. 2020-600. By letter dated October 5, 2020, the Clerk's Office instructed DESC to provide a Notice of Virtual Public Night Hearing to the Company's customers on or before October 23, 2020. It was impossible for DESC to accomplish

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this task with a bill insert and as a result, the Company was required to provide its customers with a special mailing of the notice to comply with the instructions of the Clerk's Office. The cost of printing and mailing this notice totaled **\$268,485**.

On November 18, 2020, the Commission ordered the scheduling of additional public hearings for Docket No. 2020-125-E and ordered DESC to provide a Notice of Additional Hearings to its customers by December 1, 2020. *See* Order No. 2020-777(A). Again, it was impossible for DESC to accomplish this task with a bill insert and as a result, the Company was required to provide its customers with a special mailing of the notice to comply with the Commission's order. The cost of printing and mailing this notice totaled **\$295,271**.

As evidenced above, it is much more cost effective to provide customers with a notice by bill insert and a bill insert is the preferred method of delivery. As Commission Staff gives this matter consideration, please know that DESC issues its bills to customers in cycles and in some instances, it can take more than thirty (30) days to complete all the billing cycles. From a timing perspective, anytime the Chief Clerk instructs the Company to provide the Notice of Filing to customers via a bill insert DESC respectfully requests that the Clerk's Office provide the Company with approximately forty-five (45) days to accomplish this task to ensure compliance with the deadlines set by the Clerk's office.

Thank you for the opportunity to provide you with the Company's written comments. We look forward to meeting with you on May 28, 2021, to discuss this matter further.

If you have any questions or concerns, please do not hesitate to contact us.

Very truly yours,



K. Chad Burgess

KCB/tmh

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